

U.S. Army Corps
of Engineers
Baltimore District

Public Notice

In Reply to Application Number
CENAB-OP-RMS (CASTLE HARBOR MARINA)2007-08007-M13

PN-07-71

Comment Period: November 13, 2007 to December 5, 2007

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army Permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

APPLICANT: Caroline County Commissioners
Mr. George Jamar, Director of Parks & Recreation
109 Market Street, Room 123
Denton, Maryland 21629

LOCATION: In the Choptank River, at Choptank, Caroline County, Maryland.

WORK: To hydraulically maintenance dredge the existing marina and entrance channel to a depth of -6 feet MLW, the resulting 7,300 cubic yards of dredged material to be deposited in the existing dredged material disposal, in the Choptank River at Choptank Marina Basin, Choptank, Caroline County, Maryland. The applicant has requested that a ten year maintenance dredging clause be included in any authorization, should it be granted. All work is to be completed in accordance with the enclosed plans. If you have any questions concerning this matter, please contact Mr. Rod Schwarm at (410) 820-8550.

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1986 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, permitted, funded, or undertaken by the agency that may adversely effect essential fish habitat (EFH). The project lies in or adjacent to EFH as described under MSFCMA for juvenile and adult life stages for *Scophthalmus aquosus* (windowpane flounder), *Pomatomus salatrix* (blue fish), and *Paralichthys dentatus* (summer flounder); and eggs, larvae, juvenile, and adult life stages of *Sciaenops ocellatus* (red drum), *Scomberomus cavalla* (king mackerel), *Scomberomus maculatus* (Spanish mackerel), *Rachycentron canadum* (cobia), managed species under MSFCMA. The project has the potential to adversely affect EFH or the species of concern by loss of spawning, nursery, forage and/or shelter habitat. The Baltimore District has determined that the adverse effects of this project would not be substantial and an abbreviated consultation will be conducted with NMFS. No mitigation measures are recommended to minimize adverse effects on EFH, at this time. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Standards and Certification Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration, with a copy provided to the Corps at the below address. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21230-1715, within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the Baltimore District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708, with a copy provided to the Corps, within the comment period as specified above. It should be noted that the Coastal Zone Division has a statutory limit of 6 months in which to make its consistency determination.

The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicated the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.



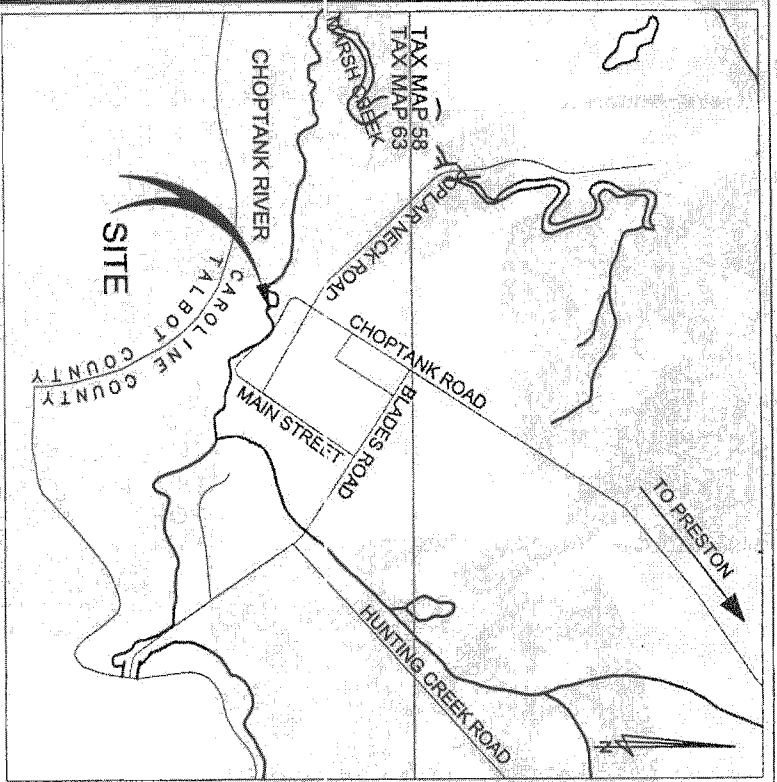
INDEX OF DRAWINGS

PLAN VIEW

1" = 200'

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9. DETAILS

PERMIT TO
DREDGE AND PLACE SPOIL
IN CHOPTANK MARINA
CAROLINE COUNTY, MARYLAND
PREPARED FOR:
CAROLINE CO. COMMISSIONERS
DATE: SEPTEMBER 18, 2007



VICINITY MAP

SCALE: 1" = 2,000'

NOTES:

1. ELEVATIONS SHOWN HEREON FOR DMP AREA ARE BASED UPON THE FOLLOWING:
Horizontal Datum: Maryland Grid 83/91 computed thru NGS-OPUS Vertical Datum: Maryland NAVD 88 computed thru NGS-OPUS
2. PROJECTED TOTAL VOLUME REMOVED FROM MARINA = 7,300 ± CUBIC YARDS.
3. SOUNDINGS FROM THE MARYLAND DEPARTMENT OF NATURAL RESOURCES SURVEY DATED JULY 28, 2006 AND ARE IN FEET BELOW MEAN LOW WATER.

SHEET 1 OF 9

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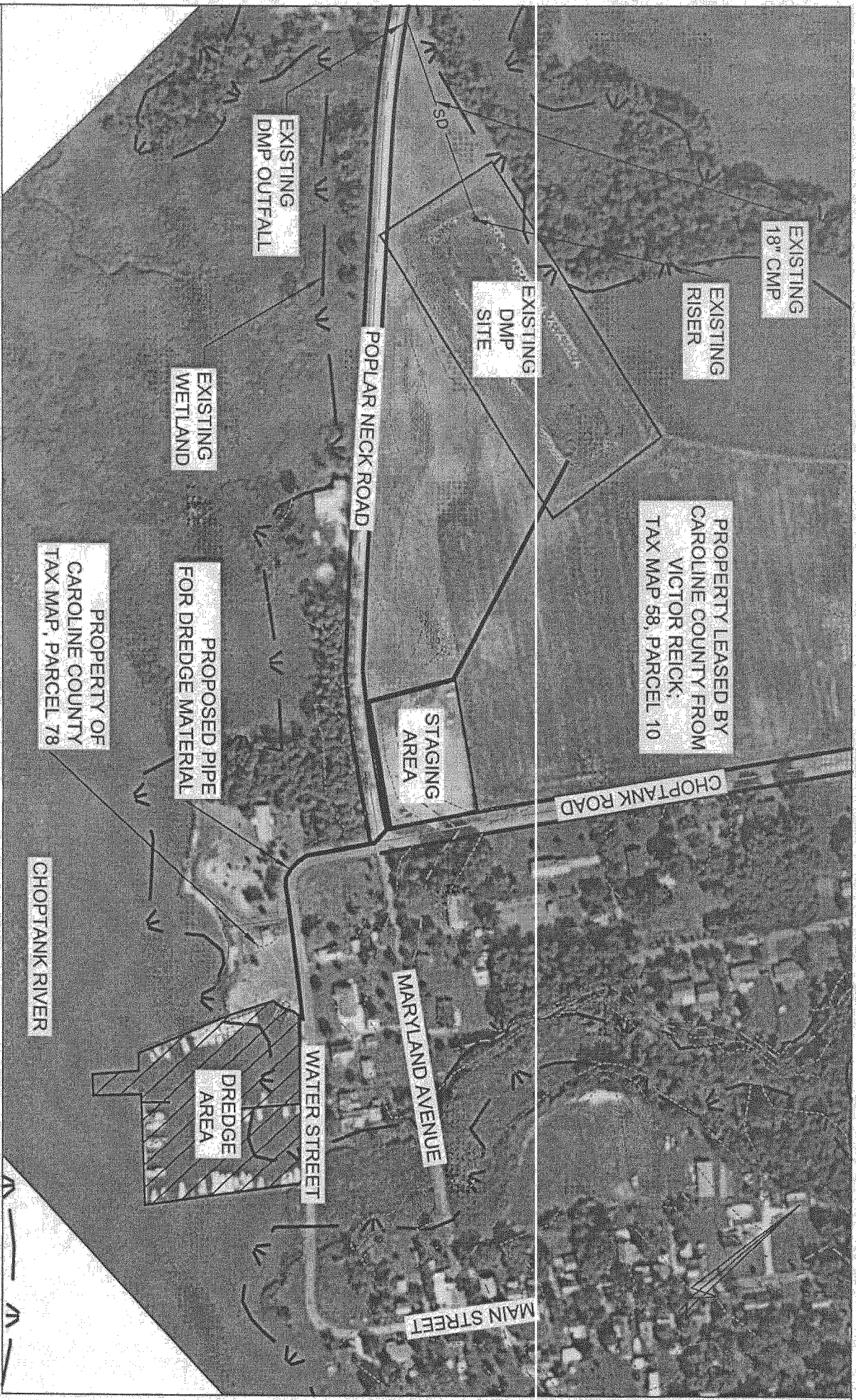
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PLAN VIEW
1" = 300'

NOTE:
PIPE TO LAY WITHIN RIGHT OF
WAY FOR THE ROAD.

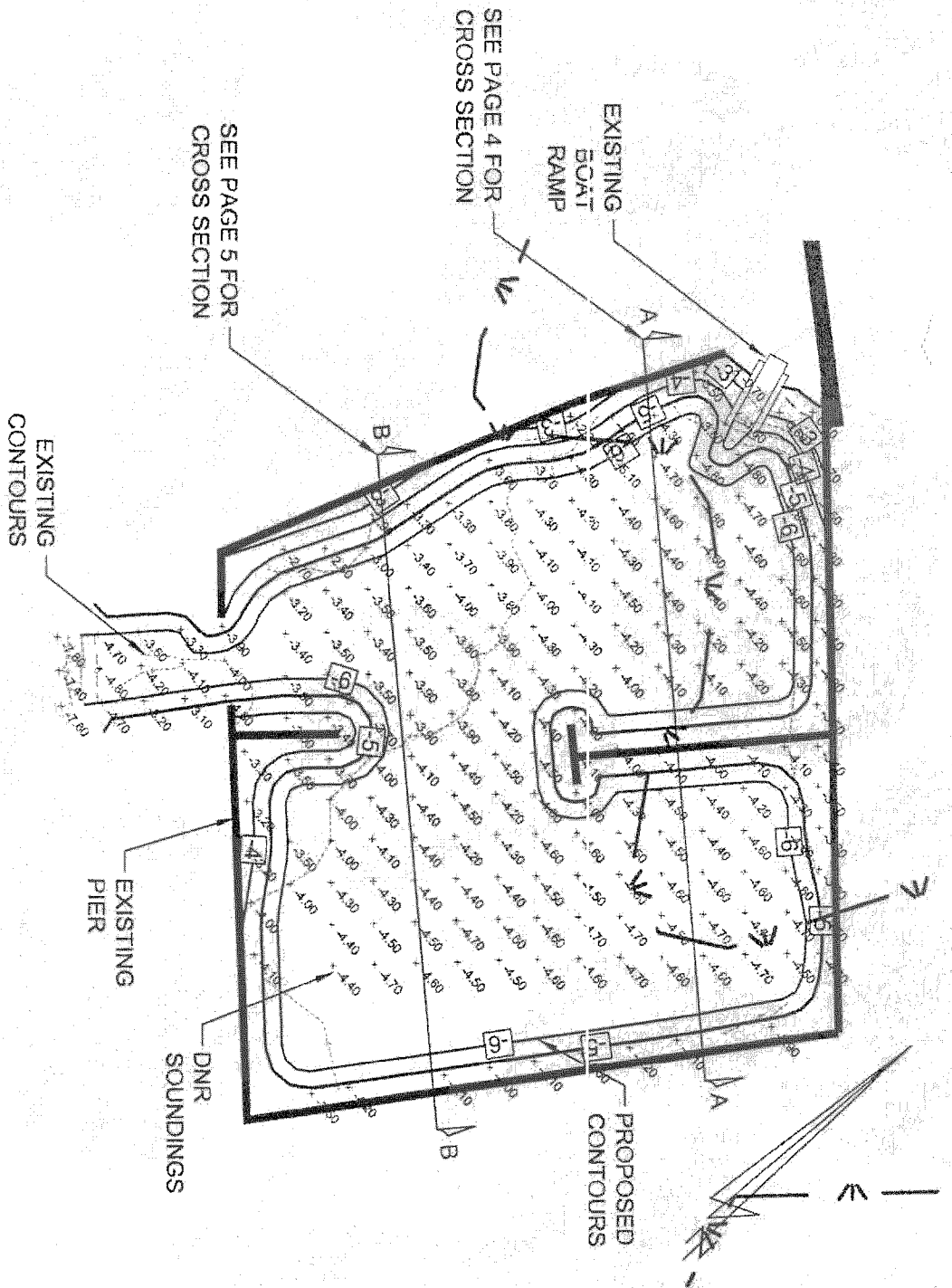
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5 MHW = 4.29

NOTE: EXISTING GROUND ELEVATION BASED ON SOUNDINGS CONDUCTED BY THE MARYLAND DEPARTMENT OF NATURAL RESOURCES DATED JULY 28, 2006. ALL SOUNDINGS ARE IN FEET BELOW MEAN LOW WATER.

0 MLW = 0

EXISTING
GROUND

POST DREDGING ELEVATION = -6

POST DREDGING ELEVATION = -6

PROPOSED
DREDGING

DATUM ELEV
-10.00

-4.4

-4.6

-4.4

-4.1

-4.1

-4.5

-4.6

-4.2

1+00

2+00

3+00

4+00

CROSS SECTION A-A DREDGING AREA

1" = 40'

SHEET 4 OF 9

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DREDGE AND PLACE SPOIL

IN CHOPTANK MARINA

CAROLINE COUNTY, MARYLAND

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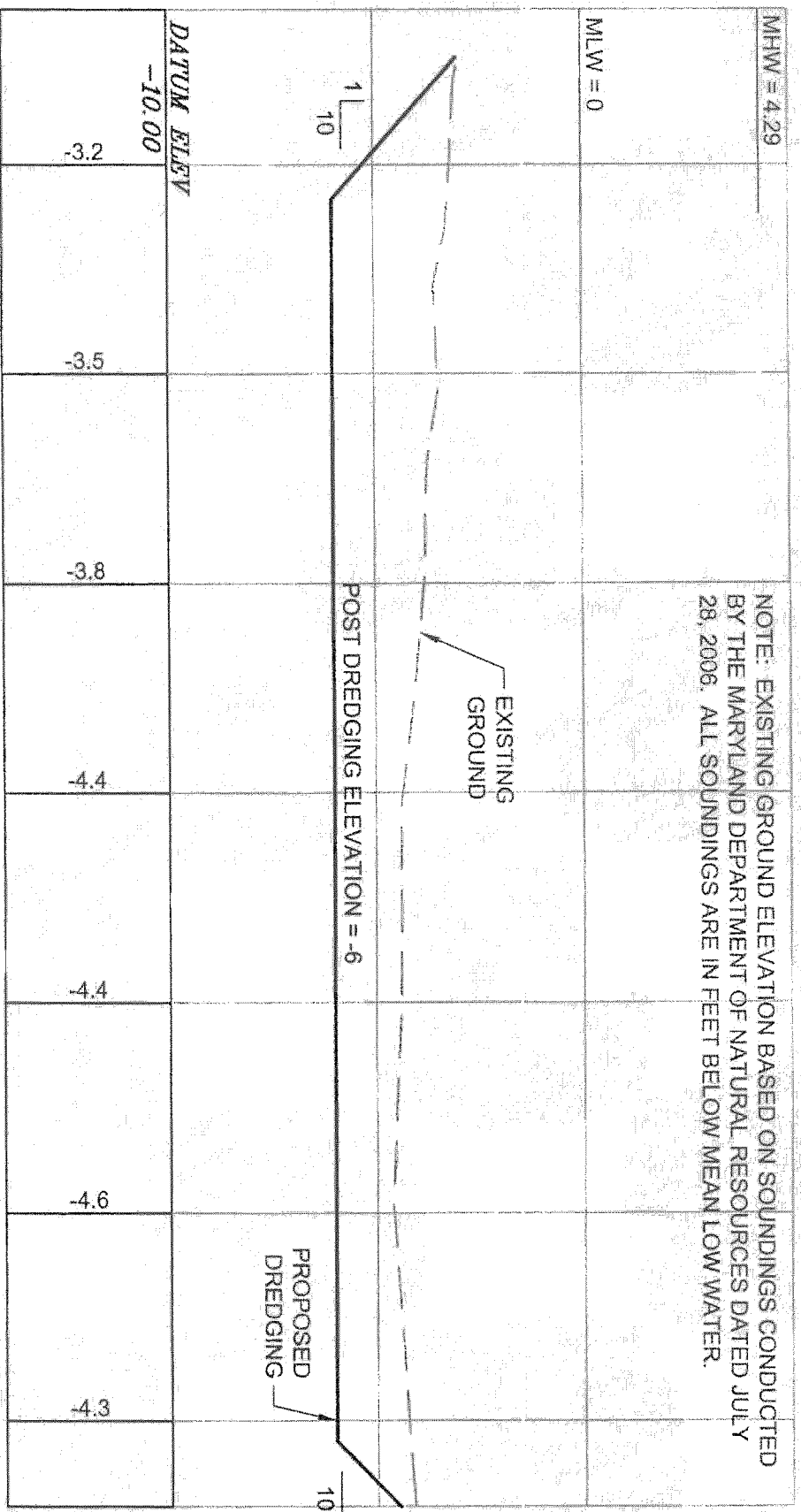
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MHW = 4.29

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MLW = 0



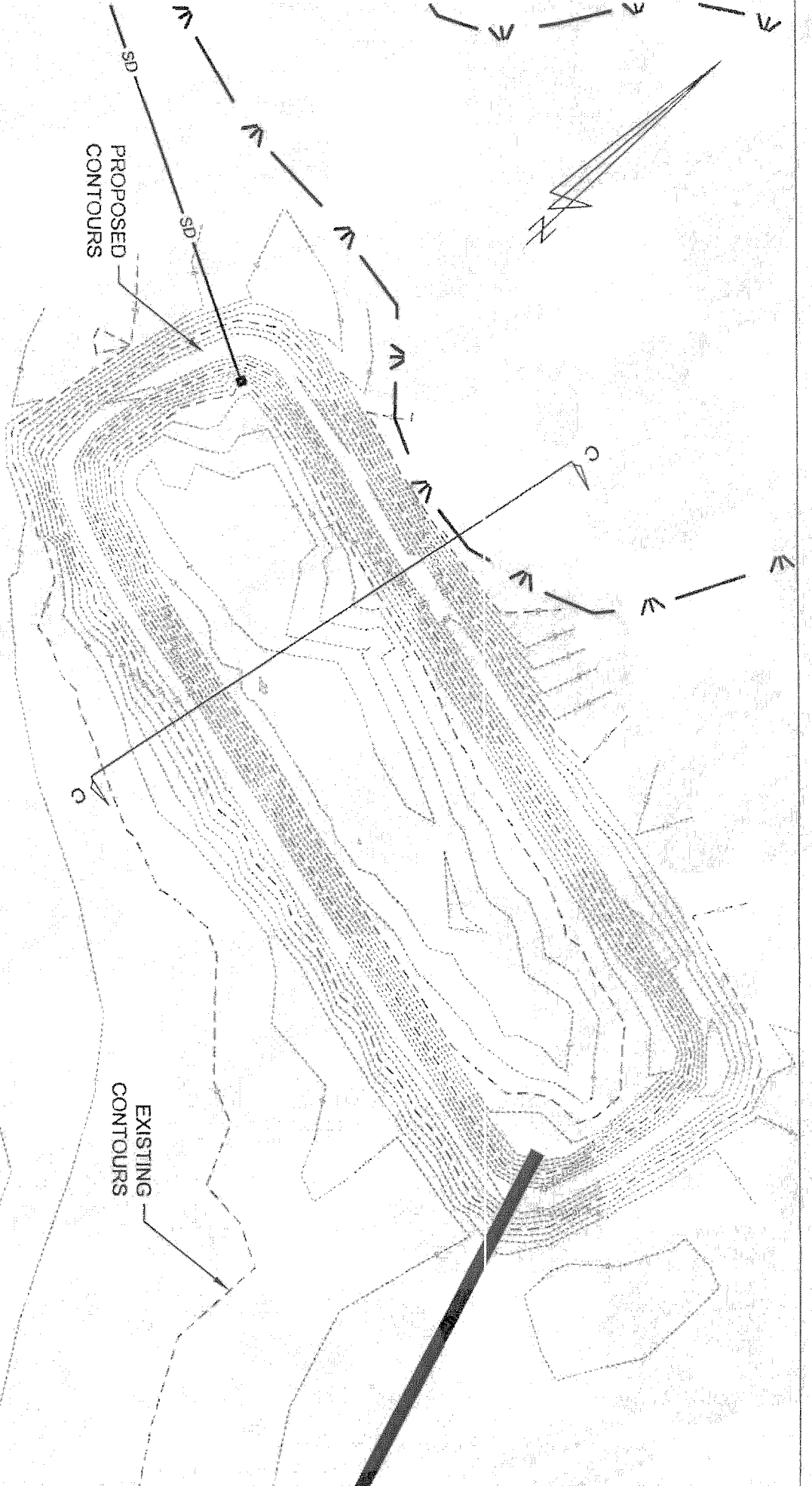
CROSS SECTION B-B DREDGING AREA
1" = 40'

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PLAN VIEW DMP SITE

1" = 100'

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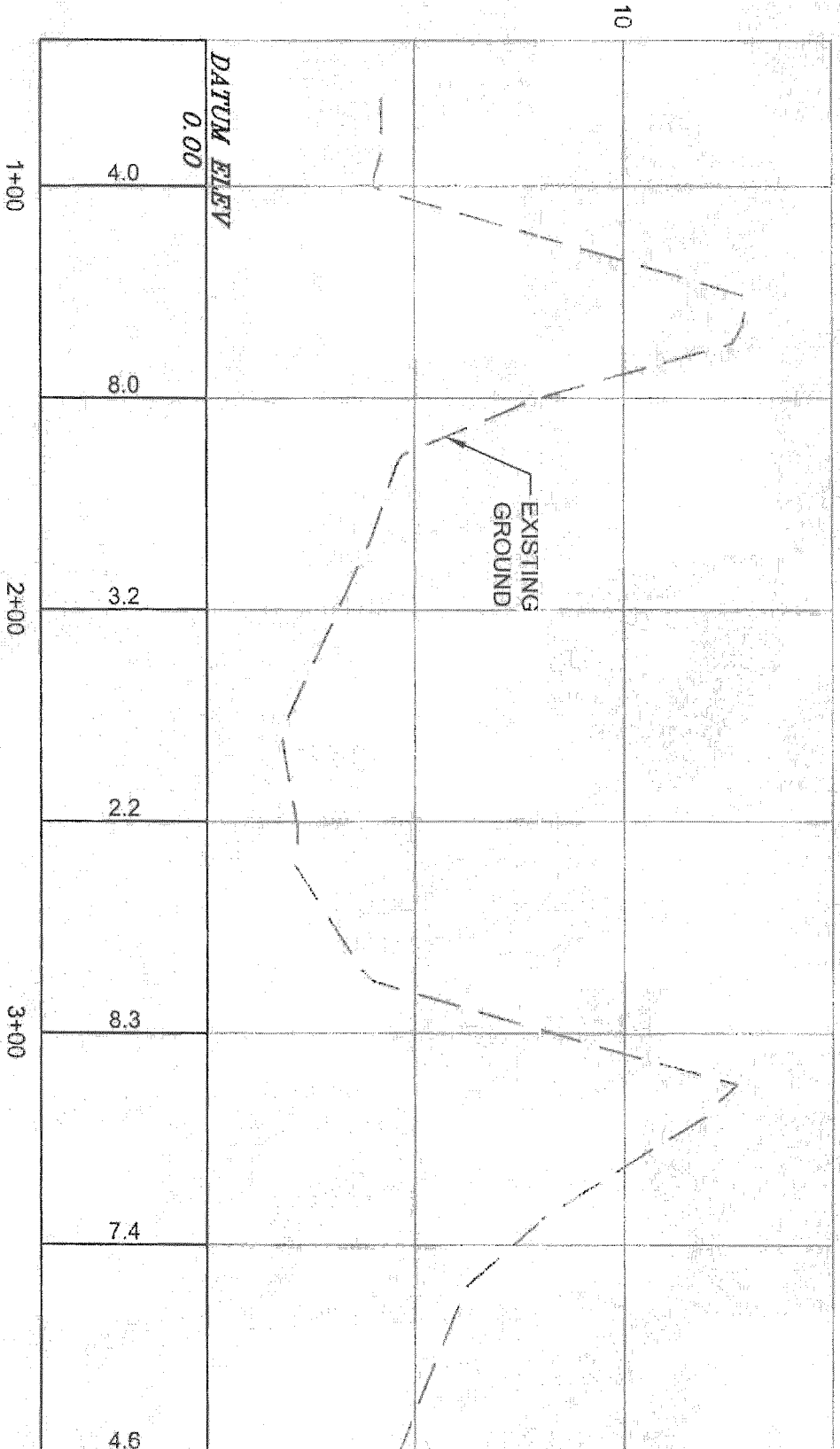
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CROSS SECTION C-C DMP SITE

1" = 40'

EXISTING DMP STORAGE

REQUIRED STORAGE CAPACITY = 21,900 CUBIC YARDS
(3x MATERIAL REMOVED DURING DREDGING - 7,300 CUBIC YARDS)

PROVIDED STORAGE CAPACITY = 27,920 CUBIC YARDS

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IN CHOPTANK MARINA

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10/09/07 10/09/07

1. Contractor shall install soil erosion and sediment control devices prior to any grading. Following initial disturbance or re-disturbance, permanent or temporary stabilization shall be completed within seven (7) calendar days as to the surface of all perimeter controls, dikes, swales, ditches, perimeter slopes greater than three (3) horizontal to one (1) vertical (3:1) and fourteen days (14) as to all other disturbed or graded areas on the project site.
2. All temporary erosion and sediment control devices are to be provided as indicated on this plan, with location adjustments to be made in the field as necessary, and to be maintained at the end of each working day until project completion. The minimum area practical shall be disturbed for the minimal amount of time possible.
3. Clearing and grubbing shall include all trees, brush, debris, root mat and organic materials to be removed.
4. Temporary seeding shall be accomplished between February 1st through April 30th, or August 15th through November 1st. During other times, temporary mulching shall be provided.
5. Temporary seeding shall conform to the following applications: 600 lbs. per acre of 10-10-10; 4,000 lbs. per acre of ground limestone, to be incorporated into the soil by disking or other suitable means. Annual rye grass shall be applied at a rate of 50 lbs. per acre using suitable equipment. Mulching shall be accomplished immediately after seeding.
6. Mulching shall be unchopped, unrotted, small grain straw applied at a rate of 2-2 1/2 tons per acre. Anchor mulch with a mulch anchoring tool on the contour, or with wood cellulose fiber at 750 lbs. per acre net dry weight or 50 lbs. of wood cellulose fiber per 100 gals. of water, or with a synthetic liquid binder according to manufacturer recommendations.
7. Permanent seeding shall be accomplished between March 1st through May 15th, or August 15th through November 15th. Permanent seeding at other than specified times will be allowed only upon written approval. Permanent seeding shall conform to the following applications: Permanent seeding for sites having disturbed over five (5) acres shall use fertilizer rates recommended by a soil testing agency and the recommendations provided in the Permanent Seeding Summary Table. Permanent seeding for conditions other than listed above shall be performed at the rates and dates as provided in the Permanent Seeding Summary Table below. Fertilizer and lime amendments shall be incorporated into the top 3" - 5" of the soil by disking or other suitable means. Mulching shall be accomplished as discussed in item #6 of these specifications.
8. Any spoil or borrow will be placed at a site approved by the Soil Conservation District.
9. All areas remaining or intended to remain disturbed for longer than fourteen (14) days shall be stabilized in accordance with the USDA, Natural Resources Conservation Service Standards and Specifications for Soil Erosion and Sediment Control in developing areas for critical area stabilization.
10. All ditches to be constructed with a parabolic bottom. Roadside ditches with 4:1 slopes in and 3:1 out and drainage ditches with 2:1 side slopes, unless otherwise noted or specified on plans. All ditches to be seeded with Kentucky 31 Tall Fescue.
11. Notify the Department of Inspections and Permits and Soil Conservation 3 days prior to any grading operations.
12. Contractors involved in the construction and maintenance of sediment and erosion control structures are required to assign a person possessing a Maryland Department of the Environment Certificate of Training "Green Card" to the work site.
13. All erosion and sediment control devices and stabilization shall conform to local Soil Conservation District's standards and specifications.
14. The local Soil Conservation District reserves the right to add, delete, modify or otherwise alter the sediment control provisions of this plan in the event additional protection becomes necessary.
15. It will be the responsibility of the Contractor or Subcontractor to notify the Engineer of any deviation from this plan. Any change made in this plan without written authorization from the Engineer will place responsibility of said change on the Contractor or Subcontractor.

SEQUENCE OF CONSTRUCTION

1. CLEAR EXISTING DMP SITE OF VEGETATION, REPLACE LINING AND/OR REPAIR AND CLEAN OUTFALL PIPE AS NEEDED.
2. PLACE PIPING FOR TRANSPORTING OF DREDGE MATERIAL TO DMP SITE.
3. WHEN DREDGIN HAS BEEN COMPLETED, DEWATER BASIN.
4. AMEND SPOIL TO SUPPORT PLANT GROWTH.
5. STABILIZED ENTIRE SITE WITH TOPSOIL, SEED AND MULCH.

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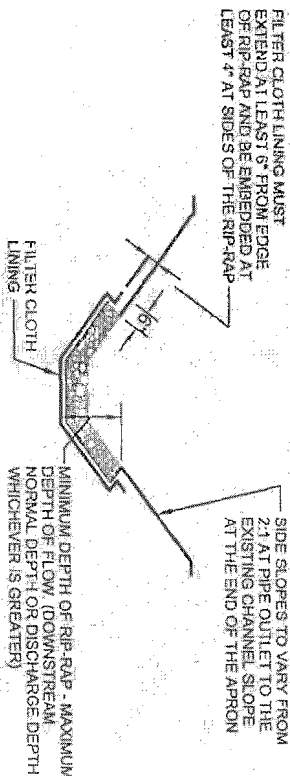
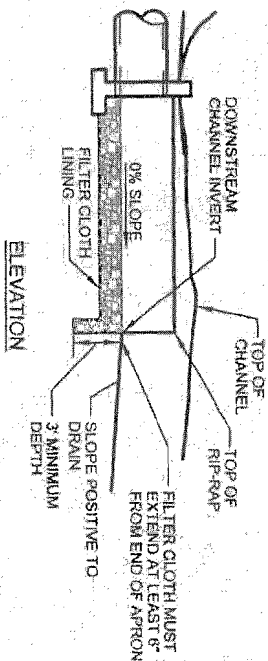
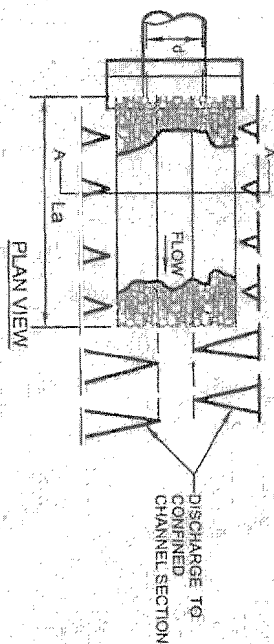
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DETAIL 26 - ROCK OUTLET PROTECTION II

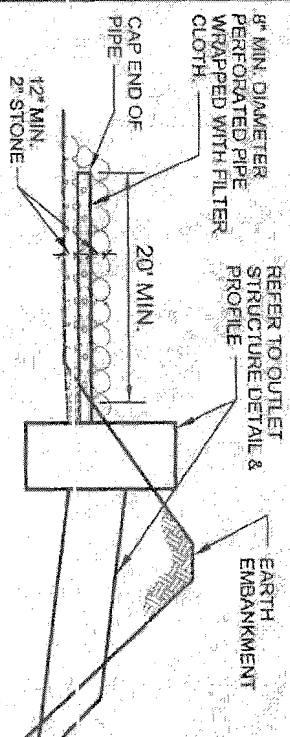


U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

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MARYLAND DEPARTMENT OF ENVIRONMENT
WATER MANAGEMENT ADMINISTRATION

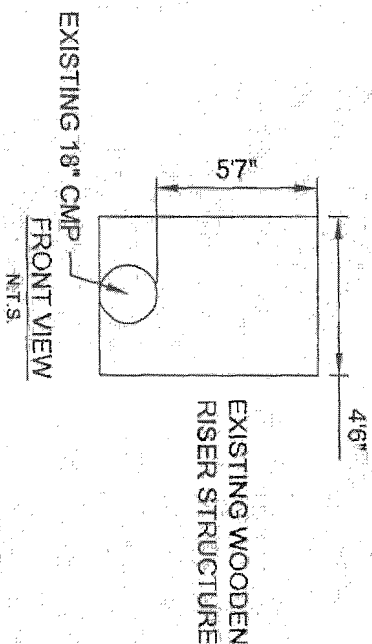
SEDIMENT BASIN DEWATERING DEVICE



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SOIL CONSERVATION SERVICE
COLLEGE PARK, MARYLAND

SEDIMENT BASIN DEWATERING
DEVICE

STANDARD DRAWING
SB



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IN CHOPTANK MARINA
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PREPARED FOR:

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